

HOUSE BILL No. 1418

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-13-2-188; IC 9-19.

Synopsis: Trucks and seat belt law. Narrows the definition of truck in the motor vehicle law to a motor vehicle designed, used, and maintained primarily for the transportation of property. Makes it a Class D infraction if the operator of a motor vehicle with a passenger less than 12 years of age does not restrain the child by a child passenger restraint system or safety belt. Repeals a similar provision in current law that applies only to passenger motor vehicles.

Effective: July 1, 2003.

Budak, Reske, Duncan, Stevenson

January 14, 2003, read first time and referred to Committee on Roads and Transportation.

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First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

HOUSE BILL No. 1418

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 9-13-2-188 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 188. (a) "Truck" means
3 a motor vehicle designed, used, or maintained primarily for the
4 transportation of property. **After December 31, 2003, the term means**
5 **a motor vehicle designed, used, and maintained primarily for the**
6 **transportation of property.**

7 (b) "Truck", for purposes of IC 9-21-8-3, includes the following:

8 (1) A motor vehicle designed and used primarily for drawing
9 another vehicle and constructed to carry a load other than a part
10 of the weight of the vehicle and load so drawn.

11 (2) A motor vehicle designed and used primarily as a farm
12 implement for drawing plows, mowing machines, and other
13 implements of husbandry.

14 SECTION 2. IC 9-19-11-3.5 IS ADDED TO THE INDIANA CODE
15 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
16 1, 2003]: **Sec. 3.5. (a) This section does not apply to a person who**
17 **operates a motor vehicle with a child passenger who for medical**



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1 reasons should not:
2 (1) wear a safety belt; or
3 (2) be restrained by a child restraint system.
4 (b) A person who operates a motor vehicle that is equipped with
5 a safety belt meeting the standards stated in the Federal Motor
6 Vehicle Safety Standard Number 208 (49 CFR 571.208) with a
7 child passenger commits a Class D infraction if:
8 (1) the child is at least four (4) years of age but less than
9 twelve (12) years of age; and
10 (2) the child is not properly fastened and restrained by:
11 (A) a child passenger restraint system; or
12 (B) a safety belt.
13 SECTION 3. IC 9-19-10-2.5 IS REPEALED [EFFECTIVE JULY
14 1, 2003].

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